



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-84,322-02

EX PARTE JAIME PIERO COLE, Applicant

ON APPLICATION FOR WRIT OF HABEAS CORPUS
CAUSE NO. 125075401010 IN THE 230TH DISTRICT COURT
HARRIS COUNTY

Per curiam.

ORDER

This is a subsequent application for a writ of habeas corpus filed pursuant to the provisions of Texas Code of Criminal Procedure article 11.071, § 5.¹

On October 2011, Applicant was convicted of the offense of capital murder for the February 2010 deaths of his wife and step-daughter during the same criminal transaction. *See* TEX. PENAL CODE ANN. § 19.03(a)(7). The jury answered the special issues submitted under Article 37.071 and the trial court, accordingly, set punishment at death. This Court

¹ Unless we specify otherwise, all references in this order to “Articles” refer to the Texas Code of Criminal Procedure.

affirmed Applicant's conviction and sentence on direct appeal and denied his initial Article 11.071 writ application. *Cole v. State*, No. AP-76,703 (Tex. Crim. App. June 18, 2014) (not designated for publication); *Ex parte Granger*, No. WR-84,322-01 (Tex. Crim. App. Feb. 8, 2017) (not designated for publication). This Court received Applicant's subsequent post-conviction application for a writ of habeas corpus on February 3, 2020.

Applicant presents three allegations in the instant subsequent application. Applicant contends that his trial counsel were constitutionally ineffective because they failed to: investigate, develop, and present evidence of exposure to neurotoxins and brain damage (Claim One); develop and present reliable evidence that Applicant would not be a future danger to society (Claim Two); and object to the trial court's statement to the venire members that, if Applicant was sentenced to death, his case would be automatically reviewed (Claim Three).

We have reviewed the subsequent application and find that Applicant has failed to satisfy the requirements of Article 11.071, § 5(a). Accordingly, we dismiss the subsequent application as an abuse of the writ without considering the merits of the claims.

IT IS SO ORDERED THIS THE 1ST DAY OF APRIL, 2020.

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